

IOWA PERMIT FACT SHEET

US Army Corps of Engineers Regulatory Jurisdiction: Rock Island District covers most of Iowa

Omaha District covers a narrow corridor along the Missouri River

| <i>Permits & Forms</i> | <i>Responsible Authority</i> | <i>Scope</i> |
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| Joint Application DNR Form 36 Fillable Form & Instructions found under “Forms & Instructions” @ : http://www.mvr.usace.army.mil/Missions/Regulatory/ApplicationFormsInstructions.aspx | Iowa DNR/USACE | Assists applicants in initiating the permit process with both agencies for construction, excavation or filling in a water of the state or on a floodplain. |
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| Permit to construct a dam Use Joint Application DNR Form 36 | Iowa DNR | <i>State criteria regarding construction permits for dams are located in Chapter 567-71.3 of the Iowa Administrative Code:</i> https://www.legis.iowa.gov/DOCS/ACO/IAC/LINC/7-24-2013.Rule.567.71.3.pdf Note: Table 7 in the Pond (378) Standard also includes a table with this criteria. |
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| Application to Store Water for Beneficial Use Permit Form 18 (Form Number 542-3109) http://www.iowadnr.gov/InsideDNR/RegulatoryWater/WaterSupplyEngineering/WaterAllocationUse.aspx | Iowa DNR | An application to store water. <i>State criteria regarding storage permits are located in Chapter 567-51.2 of the Iowa Administrative Code:</i> https://www.legis.iowa.gov/DOCS/ACO/IAC/LINC/7-24-2013.Rule.567.51.2.pdf |

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| <p>Section 404 of the Clean Water Act</p> <p><i>Use Joint Application DNR Form 36</i></p> | <p>EPA & USACE Fish and Wildlife Service has an advisory role.</p> | <p>CWA Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands. Responsibility for administering and enforcing Section 404 is shared by the U.S. Army Corps of Engineers (USACE) and EPA. USACE administers the day-to-day program, including individual permit decisions and jurisdictional determinations; develops policy and guidance; and enforces Section 404 provisions. EPA develops and interprets environmental criteria used in evaluating permit applications, identifies activities that are exempt from permitting, reviews/comments on individual permit applications, enforces Section 404 provisions, and has authority to veto USACE permit decisions.</p> |
| <p>Section 401 Water Quality Certificate</p> <p>When Joint Application DNR Form 36 is submitted to DNR, they forward a copy to the Water Quality Section for 401 Certification</p> | <p>Iowa DNR</p> | <p>A Section 401 Water Quality Certificate is Iowa Department of Natural Resource's certification that a project will not violate state water quality standards and is required before the Corps of Engineers can issue a Section 404 permit.</p> |
| <p>Regional Permit 27</p> <p>Emergency Reconstruction and Repair Activities for Flood Damaged Areas</p> <p>Notification:</p> <p><i>May use Joint Application DNR Form 36</i></p> | <p>USACE</p> <p><i>Expires 03/21/16</i></p> | <p>Authorizes work to excavate or place fill material for protection and/or repair of existing flood damaged structures, damaged land areas and/or damaged fills. See RP 27 for details of application. See the following link for RP 27 Criteria.</p> <p>http://www.mvr.usace.army.mil/Portals/48/docs/regulatory/Permits/RG-IA/RegionalPermit27.pdf</p> |

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| Regional Permit 33 Small Ponds, Dams, and Grade Stabilization Structures in Waters of the U.S. in the State of Iowa Notification: <i>May use Joint Application DNR Form 36</i> | USACE <i>Expires 03/07/16</i> | The purpose of the permit is to authorize the placement of fill material into waters of the U.S. for the purposes of constructing small USDA, NRCS ponds, dams and grade stabilization structures for the purposes of reducing erosion, sediment deposition, and/or flooding on agricultural lands and/or to provide water sources for livestock. See the following link to USACE for RP 33 Criteria: http://www.mvr.usace.army.mil/Portals/48/docs/regulatory/Permits/RG-IA/RegionalPermit33.pdf |
| Regional Permit 34 Structures requiring fill materials in waters of the US under the CREP, WREP and CRP programs in the State of Iowa Notification: <i>May use Joint Application DNR Form 36</i> | USACE <i>Expires 03/07/16</i> | Conservation Reserve Enhancement Program (CREP) Structures, Wetland Reserve Enhancement Program (WREP) Structures, and Conservation Reserve Program (CRP) Structures in Waters of the US in the State of Iowa. See the following link for RP 34 Criteria. http://www.mvr.usace.army.mil/Portals/48/docs/regulatory/Permits/RG-IA/RegionalPermit34.pdf |
| Section 402 NPDES (National Pollutant Discharge Elimination System) NPDES General Permit No. 2 applies to Conservation Practice construction. | Iowa DNR (by delegated authority) | Regulate storm water runoff from construction sites that discharges into the nation's waters. For IDNR Guidance and Application Forms see: http://www.iowadnr.gov/InsideDNR/RegulatoryWater/StormWater/GuidanceApplicationForms.aspx |
| Nationwide Permit 13 Bank Stabilization Notification: See Nationwide Permit for requirements ^{1/} <i>May use Joint Application DNR Form 36</i> | USACE <i>Expires 2017</i> | Bank stabilization activities necessary for erosion prevention provided activity meets all noted criteria. ^{1/} |
| Nationwide Permit 27 | USACE | Activities in waters of the U.S. associated with the restoration, enhancement, and |

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| <p>Aquatic Habitat Restoration, Establishment and Enhancement Activities</p> <p>Notification: See Nationwide Permit for requirements ^{1/}</p> <p>May use Joint Application DNR Form 36</p> | <p><i>Expires 2017</i></p> | <p>establishment of tidal and non-tidal wetlands and riparian areas and the restoration and enhancement of non-tidal streams and other non-tidal open waters, provided those activities result in net increases in aquatic resource functions and services. ^{1/}</p> <p><i>The following link will bring up the USACE Decision Document for Nationwide Permit 27:</i></p> <p>http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP_27_2012.pdf</p> |
| <p>Nationwide Permit 40</p> <p>Agricultural Activities</p> <p>Notification: See Nationwide Permit for requirements ^{1/}</p> <p>May use Joint Application DNR Form 36</p> | <p>USACE</p> <p><i>Expires 2017</i></p> | <p>Agricultural Activities. Discharges of dredged or fill material into non-tidal waters of the US for agricultural activities. ^{1/}</p> |
| <p>Nationwide Permit 41</p> <p>Reshaping Existing Drainage Ditches</p> <p>Notification: See Nationwide Permit for requirements ^{1/}</p> <p>May use Joint Application DNR Form 36</p> | <p>USACE</p> <p><i>Expires 2017</i></p> | <p>Reshaping Existing Drainage Ditches. Discharges of dredged or fill material into non-tidal waters of the US, excluding non-tidal wetlands adjacent to tidal waters, to modify the cross-sectional configuration of currently serviceable drainage ditches constructed in waters of the US, for the purpose of improving water quality by re-grading the drainage ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. ^{1/}</p> |

^{1/} The US Army Corps of Engineers Nationwide Permits may be found at:
http://www.usace.army.mil/Portals/2/docs/civilworks/nwp/2012/NWP2012_corrections_21-sep-2012.pdf